

HOUSE BILL NO. 5152

October 28, 2025, Introduced by Reps. Paquette, Weiss, MacDonell and Andrews and referred to Committee on Economic Competitiveness.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 3208 (MCL 600.3208) and by adding sections 3214
and 3222.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3208. Notice that ~~the~~**a** mortgage will be foreclosed **under**
2 **this chapter** by a sale of the mortgaged premises, or ~~some~~ part of
3 ~~them, shall~~**the premises, must** be given by ~~publishing~~**doing all of**
4 **the following:**
5 **(a) Publishing** the ~~same~~**notice** for 4 successive weeks at least

once in each week ~~, in a newspaper published in the county where~~
the premises included in the mortgage and intended to be sold, or
~~some part of them, the premises, are situated. located.~~ If no
newspaper is published in the county, the notice ~~shall~~**must** be
published in a newspaper published in an adjacent county. ~~In every~~
~~case within~~

(b) Before the first publication of the notice under
subdivision (a), recording a true copy of the notice with the
register of deeds for the county or counties in which the premises
are located.

(c) Within 15 days after the first publication of the notice
under subdivision (a), ~~posting~~ a true copy ~~shall be posted of the~~
notice in a conspicuous place ~~upon~~**on** any part of the premises
described in the notice.

Sec. 3214. (1) If a mortgagor, the mortgagor's heirs or
personal representative, or any person that has a recorded interest
in the mortgaged premises that was obtained before the notice of
foreclosure is recorded under section 3208, conveys the mortgaged
premises after the notice of foreclosure is recorded and before the
expiration of the applicable redemption period under section 3240,
the conveyance is not valid unless a notice of rights that
satisfies subsection (2) is attached to the instrument of
conveyance and signed by each grantor.

(2) A notice of rights required under subsection (1) must
contain the following language:

NOTICE TO SELLER: This document serves as a formal notice of
certain rights that will be forfeited on the sale of this property.
By signing this deed and completing the sale of the property, you
will be waiving and relinquishing rights you may have under

1 statute, as follows:

2 1. Right of Redemption: By selling the property, you
3 permanently waive any and all rights to redeem or reclaim the
4 property. The right of redemption allows a mortgagor, the property
5 owner, to reclaim a foreclosed property by paying off the
6 outstanding debt within a legally specified redemption period. This
7 right is irrevocably forfeited on your completion of the sale.

8 2. Right to Occupancy During the Redemption Period: You
9 further acknowledge that any rights to remain in the property
10 during the redemption period, typically provided to the mortgagor
11 by statute, will no longer be available to you. Once the conveyance
12 is complete, you forfeit any and all rights to continue occupying
13 the property.

14 3. Right to Surplus Proceeds: Your home may be worth more than
15 the outstanding balance of your mortgage. If the home is sold at
16 public auction, and the sale price is greater than the balance of
17 the mortgage, you may be entitled to collect the remaining sale
18 proceeds. By selling the property before the public auction, you
19 will have no right to collect the surplus proceeds that may have
20 resulted from the auction sale.

21 By signing below, you acknowledge that you are voluntarily
22 waiving any and all of the above rights provided to you by statute,
23 and you fully understand the legal effect of these waivers.

24 Sec. 3222. If a sale scheduled in a notice under section 3212
25 is cancelled by the party foreclosing the mortgage, a notice
26 cancelling the notice of foreclosure must be recorded with the
27 register of deeds for the county or counties in which the premises
28 are located not later than 30 days after the sale is canceled.

29 Enacting section 1. This amendatory act does not take effect

1 unless Senate Bill No. ____ (request no. S03787'25) or House Bill
2 No. 5153 (request no. H03787'25) of the 103rd Legislature is
3 enacted into law.